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THE SAN DOMINGO QUESTION.

BY FRANCIS G. NEWLANDS, UNITED STATES SENATOR FROM NEVADA.

WHEN the President sent the Dominican treaty to the Senate for ratification, it was announced in the press that I could be relied upon as one of the few Democrats who would vote for its ratification, because of sympathy of view with the President as to our Pan-American policy.

The treaty itself was regarded as the practical exposition of the President's policy, first declared in a letter to the Cuban dinner as follows:

"Any country whose people conduct themselves well can count upon our hearty friendliness. If a nation shows that it knows how to act with decency in industrial and political matters; if it keeps order and pays its obligations, then it need fear no interference from the United States. Brutal wrong-doing, or impotence, which results in the general loosening of the ties of civilized society may finally require intervention by some civilized nation, and in the Western Hemisphere the United States cannot ignore its duty."

I must say that, when this utterance was first published, it aroused my sympathetic interest. I recalled that in the Cuban debate of April 4th, 1896, while I was a member of the Committee on Foreign Affairs, I had expressed myself somewhat similarly in the House of Representatives, as follows:

"I take it that a great and powerful nation like the United States, the greatest and most powerful in this part of the world, has a certain duty to perform to other nations, just as every individual in our social organization has a duty to perform to other individuals. And this duty is the higher and stronger in proportion to the power and strength of the individual or nation. . . . I think this nation has some duty to perform, besides its duty to its own people. I think we have a duty to perform to all the republics of this continent, that now, with the exception of Mexico, cast disgrace upon the very name of republicanism. . . . It should be exercised through the Pan-American Congress, through

treaty relations for mutual cooperation and support, by all the moral influence which a great nation can exercise in its communion with weaker powers, and, if necessary, when civil war, anarchy and mutual destruction blot the fair name of republic, and substitute military despotism, by an armed intervention commanding order and good government."

Had it not been for the experience intervening between the Cuban War and the San Domingo treaty, I would have been prompt to give my support to the latter; but, with that experience before me, I felt it necessary to proceed with caution and deliberation, as the treaty involved a new national policy. Our experiences in Cuba, the Philippines and Panama had convinced me that, however beneficent our purpose might be in the beginning, we were likely to be drifted, either by circumstance, self-interest or desire for military glory, into a policy which we would have repudiated at the start. In addition to this, the well-defined purpose of the President to secure a free hand in international affairs, by eliminating as far as possible the Senate as a factor in their determination, has led me to fear that, if we once entered on a policy of active intervention, we might become involved in such international perplexities as to drift us away from the domestic problems that concern us.

In the Cuban War, our purpose was not aggression, but pacification; and yet we drifted from the task of freeing Cuba to that of subjecting the Philippines to our dominion by force of arms. It matters not whether this was due to destiny, uncontrollable circumstances, commercialism or love of conquest. The fact remains that, though at the commencement of the Cuban War McKinley voiced the sentiment of the American people when he declared that forcible annexation was criminal aggression, we drifted into both.

So also, in Panama, years ago, we secured a right of way by treaty with New Granada, now Colombia, under which we recognized Colombia's right and sovereignty, and agreed to protect her title against the world. Later on, when Colombia disagreed with us as to the terms for a larger right of way—a ship-canal—including control over the Canal Zone, we refused to permit her to bargain as to the amount of compensation, and, availing ourselves of the fiction of a Panama uprising, we wrested the control of Panama from Colombia in the twinkling of an eye, and

secured for ourselves sovereignty over the Canal Zone. The right of way represented by a railroad track eight feet wide was, by Executive decree, made many miles wide. Colombia, forbidden by our navy to land her troops on her own soil for the suppression of domestic disorder, was raped of her territory; and a contractual possession, held by us under Colombia's sovereignty, was forcibly enlarged into an absolute dominion and sovereignty, the suggestion of which would have been indignantly repudiated when our possession was acquired.

These experiences might well make the most ardent advocate of the moral duty of the United States hesitate regarding the innocent possession of the Dominican custom-houses, as a means of enabling San Domingo to settle with her creditors.

The views of the President regarding the Senate as a factor in the treaty-making power might well deter us from the acceptance of his policy. The purpose of the fathers was to keep our country out of foreign complications and consequent wars; and so they placed the war power in Congress, made the Senate a participator in the treaty-making power, and required the assent, not of a mere majority, but of two-thirds of the Senate. With a President and a Secretary of State both of whom are eager to make the United States a dominant factor in the world's affairs, it is easy to understand how both would chafe under the restraint of a deliberative body like the Senate. The result was a deliberate effort to escape or minimize this restraint. Under the general arbitration treaty it was sought, by the use of the term "agreement," to induce the Senate to contract away its treaty-making power and duty as to all future international arrangements within the scope of that treaty; and by the use of the term "protocol" in the place of "treaty," our State Department, without the consent of the Senate, executed and entered into the operation of an arbitral arrangement under which our Government took possession of San Domingo custom-houses, as security for the claim of the San Domingo Improvement Company. If it was necessary to submit to the Senate the pending treaty, which was also called a "protocol," it was also necessary to submit to the Senate the arbitral protocol; for, under both, the United States is to enter into a qualified possession of foreign territory which it may at any time require the use of force to maintain.

During the past eight years of continuous international ac-

tion, we have found the nation drifting into aggression, in strong contrast with the traditions of the Republic and the peaceful intentions of our people at the commencement of this new era. During these eight years, we have almost neglected domestic legislation. Whilst we have been engaged in conquering other countries, monopoly has conquered our own; and, under the leadership of a President whose policy upon all matters of domestic reform is meeting with such general approval, we are endeavoring to recover for our own people the ground which we have lost whilst our eyes have been strained towards the horizon of imperial grandeur.

No one will deny that the exigency to which the President has called our attention is a serious one, but it does not involve simply the ordinary exercise of the treaty-making power. It involves a new departure in our policy and active participation in the affairs of the Republics of South and Central America and of the Caribbean Sea—a protectorate over all of them which, in the end, may prove so absorbing as to draw our attention still further from the questions of domestic development and reform. Such a policy requires, not the secret consideration of the Senate, but thorough debate before, and consultation with, the entire people.

The evils which exist to-day in San Domingo exist in every South-American and Central-American republic. Almost all of them are embarrassed by foreign complications; almost all are being sapped by concessions to foreign countries which are oftentimes unwisely given and violently withdrawn. Almost all are dedicated to disorder and violence, instead of order and good government. All of them are under the protection of the Monroe Doctrine, declared by the United States, not as a matter of protection to them, but of defence to ourselves. Taking advantage of this, they repudiate their financial and honorable obligations, and oftentimes conduct themselves with a truculence that is most exasperating. As a matter of self-interest, therefore, the Monroe Doctrine compels us to protect these republics, whether they are right or wrong, and our moral position is not always a pleasant one.

In these matters San Domingo is typical. Revolution has followed revolution. Republican in name, the government is really a military despotism, where one dictator succeeds another, each possibly more cruel and more conscienceless than his prede-

cessor. Moneys are borrowed and bonds issued at enormous discounts. The bonds are floated, the interest defaulted, and foreign governments, urging the claims of their citizens, are met with the prevailing misrule and anarchy as a reason for non-payment. Concessions improvidently granted are withdrawn or interfered with, and claims arise out of these. European governments, accustomed as they have been of late to enforce the claims of their citizens against recalcitrant governments by peaceful blockades, by seizure of ports and territory, and by other methods, are deterred from doing so in this case by the Monroe Doctrine only. Outside of the Monroe Doctrine, armed intervention and the substitution of a government, however imperious, which would secure order, would be a blessing to San Domingo. European governments insist either that we should act in some such way as to settle these complications, or that we should permit them to act. Should we permit them to act, the peaceful blockade may end in war. The possession of a custom-house may end in the possession of the entire territory. The pecuniary claim may end in governmental possession and control.

It is true that, in this case, there is no suggestion of force or violence upon our part. Our intervention will be a peaceful intervention at the solicitation of San Domingo, and the purpose of it will be to secure for San Domingo an adjustment with her creditors, through the pledge of a part of her customs to be collected by an official of the United States, and distributed *pro rata* among the foreign creditors, including our own citizens. The proposed arrangement is a businesslike one, similar to that of an individual going through bankruptcy; a receiver is appointed who marshals the bankrupt's assets; claims are ascertained, and a *pro rata* division of the assets is made and an acquittance given. But here it is proposed that a government shall be the receiver; and what we fear is that, if the United States Government once obtains possession of any portion of San Domingo, our experience with the Philippines and Panama may be renewed.

And so the question of the desirability of San Domingo as an American acquisition comes up, and so also comes up the question as to the remaining islands in the Caribbean Sea, and what shall be our policy regarding them.

The American people have not looked with favor upon the ownership of these islands by European Powers. They command

the entrance to the Gulf of Mexico and to the Panama Canal. In case of war, they can be fortified and can be made the basis of naval attack upon our coast. Were they without population, they would be exceedingly desirable, because of their salubrity of climate and richness of soil. Outside of the small islands belonging to France and England, there are three great islands, namely, Cuba, Hayti and Porto Rico, Hayti being under the possession of two so-called "republics," the Haytian and the San-Dominican. Porto Rico is ours. Cuba is under our protectorate. Jamaica is well governed by England; Hayti alone is in a condition of unrest. If San Domingo drifts into our hands, Hayti is likely to also, and this means the addition of over a million of blacks to our population. The race problem now before us is, surely, sufficiently difficult.

San Domingo, therefore, is undesirable; and we should be cautious in entering upon a policy which will ultimately make her a part of this country. We should take the whole country into our confidence and deliberate upon every phase of the question. There are three courses to pursue: One is to declare, as part of the Monroe Doctrine, that the United States will not recognize the unpaid contractual obligations of any American country as a cause for foreign intervention of any kind. This might mean the continuance and increase of the existing disorder and anarchy, in the governments to the south of us.

The second course would be for the Government of the United States to take the bold stand indicated by President Roosevelt, which would involve a declaration to all American republics that the United States would not tolerate any failure upon their part to respond to the duties of civilization; that, if they failed to pay their debts, they would be made to pay them, or if they failed to maintain order and good government they would be compelled to maintain them; and that the United States would, by an armed intervention, compel honesty, peace and good order, if necessary. Such a policy might mean constant annoyance, an increase of our military and naval force, an enlargement of our military expenditures, and the absorption of our Government in extraterritorial affairs, when its whole attention should be applied to the development of our own country and the reform of abuses at home.

The third course would be to recognize the right of the European nation whose citizens have claims against the governments

of American countries, which the latter are unable through misrule and disorder, or are unwilling, through corruption and dishonesty, to meet, to move against such recalcitrant countries with all the force that is necessary to secure the payment of the claims, our government simply insisting that this force shall be only applied temporarily, and shall not result in the lasting possession of the territory of the recalcitrant nation or in the substitution of foreign for domestic government.

The danger in this policy is that it is not always easy to drop a possession once acquired, and that very many good reasons will be found for maintaining it; and that, in the end, we may have to use as much force in expelling the foreign government as would have been necessary originally in compelling the American country to respond to its obligations.

These are questions all involving the declaration of a new national policy upon the part of the United States, and it is of the highest importance that it should be carefully weighed and considered before action is taken. Such being my view, I urged that all the deliberations of the Senate upon the question of the San Domingo treaty should be in the open. It was not the ordinary case of treaty consideration, involving secrecy regarding the communications of and correspondence with a foreign government, but it involved a great national policy, which should be discussed in the open, the consideration of which should be shared by the people and the press, whose aid Congress should have in arriving at a final conclusion.

So far as this particular treaty was concerned, it involved the aggressive interference of the United States with the affairs of San Domingo. It was not framed simply upon a businesslike view of the insolvency of San Domingo; it expressly referred to the Monroe Doctrine as a reason for intervention. It bound the United States to take charge of the custom-houses of San Domingo and to apply fifty-five per cent. of the customs receipts to the payment of the debts of San Domingo. It bound the United States to attempt the adjustment of all the obligations of the Dominican Government, foreign as well as domestic; and it gave the United States a certain control over the tariff and port dues of the Dominican Government. It bound the Government of the United States, at the request of the Dominican Republic, to grant the latter "such other assistance as the former may deem proper

to restore the credit, preserve the order, increase the efficiency of the civil administration, and advance the material progress and welfare of the Dominican Republic." It involved almost everything in the shape of control and government.

As stated in the President's message, "the conditions in the Republic of San Domingo have been growing steadily worse for many years. There have been many disturbances and revolutions, and debts have been contracted beyond the power of the Republic to pay. Some of these debts were properly contracted, . . . others are, without question, improper or exorbitant."

The message goes on to say: "One of the difficult and increasingly complicated problems which often arise in San Domingo grows out of the violation of contracts and concessions sometimes improvidently granted, and valuable privileges and exemptions granted often upon grossly inadequate considerations, which were burdensome to the state and which are not unfrequently disregarded and violated by the governing authorities." The best evidence of such improvident concessions is contained in the agreement made by Morales, the present Executive of San Domingo, with the Readers, by which, in consideration of their securing the treaty for the purpose of funding and taking care of the debt of San Domingo, he made the most reckless concessions of grants for railroads, for timber privileges, banks, etc. Each revolutionary leader is willing to burden the state with any obligation, however large, provided he can secure for immediate use a part of the consideration.

The present indebtedness of San Domingo, according to some statements, is thirty-two million dollars, and according to others twenty-four million dollars, of which about four million five hundred thousand dollars is due to the San Domingo Improvement Company, an American corporation; fourteen million dollars is due to foreign bondholders; four million dollars is due on internal claims; and the balance mainly consists of arrears of interest. San Domingo has about six hundred thousand people, and the total debt amounts to about forty dollars *per capita*, or about \$200 upon the average family. Such an average upon the part of the United States would mean an indebtedness of over three billions of dollars.

It is clear from the history of this indebtedness that, although a large proportion of it has possibly been genuinely floated in the

shape of bonds upon the investing public, a very small portion has been received by San Domingo; and San Domingo is practically in bankruptcy without the ability to pay, and without the ability to organize either a government or an economic system in such a way as to secure a compromise with its creditors, and the gradual payment of its debt. The compromise with creditors would mean nothing; for the creditors know from past experience that, after the payment of a few instalments has been made, even upon a small amount in compromise, default would take place owing to revolutionary conditions which follow each other in that island as one season follows another.

San Domingo, therefore, cannot herself compromise her debt. This task must be undertaken by some foreign government, or governments acting in unison. The security for the compromise, in the shape of customs duties, must be paid either under the control of a foreign government or under the control of some receiver satisfactory to the creditor nations, whose authority will be backed up if need be by force, and this force necessarily means the suppression of disorder and the maintenance of order by the dominating power of the creditor nation or nations.

The policy of the United States has been never to attempt to use force for the collection of the contractual claims of its citizens against foreign governments, or for the protection of the investments of American citizens in foreign countries. The contention of our State Department has always been that the American citizen who makes an investment in a foreign country surrenders his investment to the protection of that country, and cannot rely upon anything but the good offices of this country in an attempt to secure just treatment.

On the other hand, there are many European countries which apply force, particularly against weak Powers, for the enforcement of the contractual claims of their citizens, and this force sometimes means, not only the holding of ports and the collection of customs duties, but occasional seizure and permanent holding of the territory.

The seizure of Mexico by France, England and Spain was of this nature. England and Spain withdrew, leaving France alone in possession of Mexico. The United States applied the Monroe Doctrine and forced a withdrawal by France. Recently Germany, Italy and England made what they termed a "peace-

ful blockade" of a Venezuelan port. The presence of the armed forces of Europe in these ports was regarded with great apprehension by the American people, and popular excitement was averted only by the assurance that these great Powers had consulted our government before making the movement, and had given assurances that no occupation of territory was contemplated. Arbitration through The Hague Tribunal was accomplished through the friendly offices of our Government, but the result was a declaration of the principle of international law which practically negatives the whole purpose of The Hague Tribunal and puts a premium upon war. That Tribunal declared that Germany, Italy and England, through their display of force and blockade, had acquired a first lien upon the customs duties which were to be mortgaged for the payment of the award. The citizens of the United States who had claims against Venezuela were thus the victims of the tolerance and peacefulness of their Government; citizens of the belligerent Powers obtained a distinct advantage.

The difficulty then is this: If this country responds to the appeal of San Domingo to secure for her a composition with her creditors, to arrange the terms, to collect the revenues and to make the disbursements, it will doubtless be put in a position where it will be compelled to maintain order by its armed forces, and to practically govern the islands through its naval forces. If the Dominican people revolt against this, it will mean that we will have to suppress the insurrection by killing; if they yield to our control, it will probably mean that they will be so dependent upon our government that, when our task is ended, every reason of humanity and interest will be presented for our continuance in control, and thus the undertaking of a friendly task will involve us in the acquisition of a country containing a most undesirable population, whom it will not do to incorporate into our scheme of government, and whose government by our people will involve the enlargement of the Imperial idea and a still further abandonment of the old ideals of the Republic. If we do this in San Domingo, will we not be called upon to do it in Hayti, and, later on, in many of the South-American and Central-American republics; and, ultimately, will we not become so accustomed to the idea that we will be forcibly intervening for the purpose, not only of compelling the discharge of debts to foreign

creditors, but also of maintaining order and suppressing violence?

The magnitude of the task is appalling. Can such a task be undertaken save by an arbitrary government, in whose Executive are vested almost all the powers of sovereignty? Would not our government be overburdened with foreign problems, and would it not be impossible to consider the domestic problems which are likely to become more and more accentuated because of our complicated system of State and National government? The development of the Empire would then begin; the development of the Republic would then end. The development of the Empire means the control of other countries, inhabited by non-assimilable peoples. The development of the Republic means the expansion of our country from eighty to four hundred millions of a thoroughly homogeneous people, possessed of a domain rich in resources beyond the dreams of avarice, and governed by institutions which promise more for the happiness and prosperity of men than any other scheme of government ever devised.

But, it is said, it is impossible to permit San Domingo to drift as a derelict in the ocean; some creditor Power must control her, and if we do not control her foreign Powers will. This involves the assumption that, whatever Power takes possession of San Domingo, will take possession of it for all time, simply because of the inability of her people to govern themselves, and because dependence upon a foreign Power will drift them further and further away from self-government. Is, then, the only alternative to abandon the Monroe Doctrine and to admit that foreign Powers may take possession, either by treaty or by force, of San Domingo, with a view to securing the payment of San Domingo's indebtedness to the citizens of other countries, when we know that such possession cannot in the nature of things be temporary, but must be permanent?

It would be preferable for the American people to declare formally, under the Monroe Doctrine, that, whilst we have no disposition to protect American countries when they have done arbitrary wrong to foreign countries or their citizens, yet the redress sought must assume some other form than that of an occupation of territory, and that, in case of contractual claims, we would deny the right of foreign countries to use force against American countries for their collection.

But is there not some way in which San Domingo can be helped out of her difficulty? Why would it not do to have a Commission appointed, consisting of representatives from the creditor nations together with a representative of San Domingo? Let this Commission make a report to the respective governments, first, as to the amount which in justice and equity ought to be paid by San Domingo to each creditor, were she solvent; second, how much San Domingo can afford to pay without burdening the future of her people too severely; third, what percentage this would be upon the amount of the claims justly due; fourth, what security can be given by San Domingo involving the least governmental disturbance; fifth, the placing of such security, if it be in the shape of customs duties, under the control of a citizen of some disinterested Power, such as Switzerland, its control to be backed by such force as may be agreed upon by the creditor nations; all the nations stipulating that in no case would permanent territorial occupation be permitted. In other words, the proceedings might assume the form of proceedings against a defaulting corporation, resulting in the appointment of a receiver, an ascertainment of debts, gradual liquidation, and a final restoration of the property to the control of the corporation.

The difficulty about this would be that the American people have become so fixed in the view that the Monroe Doctrine absolutely prohibits foreign interference with American government and administration, that they may not tolerate the idea of foreign countries participating at all in such receivership. On the other hand, the only alternative is the acceptance of the receivership by the United States Government itself, and a receivership will undoubtedly mean in the end the permanent occupation and holding of San Domingo.

There is another view to be taken of San Domingo, which involves a comprehensive policy regarding all the islands in the Caribbean Sea. The United States now holds title to and possession of Porto Rico; it has a protectorate over Cuba which controls that island in its sanitary arrangements, in its debt-making capacity, and authorizes our government to intervene in case of domestic disorder and violence, threatening the stability of government. Between Porto Rico and Cuba is the island of Hayti, upon which two so-called republics, the Republic of Hayti and the Republic of San Domingo, exist. We

could declare a policy regarding the islands of the Caribbean Sea that we would not apply to the case of Central and South America—the difference in policy being based upon the fact of their propinquity, their control of the Gulf, and their control of the approach to the Panama Canal? If we have the ownership of Porto Rico and a protectorate over Cuba, it would not be a long step to establish a protectorate over San Domingo, and possibly over Hayti, if the latter consent, or if domestic revolutions there make it necessary for us in self-interest to intervene. We could commence by incorporating into our treaty with San Domingo all the essential features of the Platt amendment to the Cuban Constitution, and add to the protectorate a right to maintain a resident minister, whose assent would have to be secured as to all measures affecting the debts, the sanitation and the good order of the country.

It might be possible, later on, to adjust the race question in this country by providing for the gradual colonization of the blacks in the United States on these islands, under humane conditions as to individual proprietorship of land and industrial development. Cuba has to-day only a population of a million and a half of people, and she is capable of supporting a population of fifteen millions. Would it not be to the advantage of both countries if Cuba could absorb our negro population? The population of this country would then be homogeneous, and the grave disaster likely to come to us from the juxtaposition of the two races would be averted. To-day, we have twelve million blacks out of a total population of eighty millions of people. With their large birth-rate, they are increasing in larger proportion than our own people. The only thing that keeps them back is their large death-rate, and that will diminish with education and civilization. The imminent danger to this country is that, as the black race becomes stronger in numbers, the prejudice against it will increase. The lines between the two races are becoming more and more distinct every day, and there is the danger, in the future, either of a race massacre or of the inferior race being subjected to a condition approaching slavery. A race war would prove as great a calamity as the Civil War, and the subjection of the negro would simply renew the conditions which prevailed before the war. The war then would have been fought in vain.

Prior to the emancipation of the blacks, philanthropists throughout the country, including Henry Clay, were urging the colonization of our negroes in Africa, and the Liberian colony was formed with that view, such a system involving great hardship and inhumanity. But distance itself made this impossible. Here we have in the Caribbean Sea islands of unsurpassed fertility of soil and richness of resource, admirably adapted to the black race. The expense of removal would be light. The ability to secure individual homes for each family would be within reach. The process of readjustment would have to be a gradual one, for the immediate segregation of the black labor of the South would cause industrial disturbances of serious consequences; but, if the colonization of the negro is possible, it could not be accomplished under more favorable conditions, and we could easily afford the expenditure if in the near future a policy could be inaugurated which would preserve this country for all time for the white race.

These are the perplexities that are involved in this simple project of a treaty with San Domingo—the treaty which is urged with the best of intention by a President who is intent upon doing things, and who likes to do them quickly; and whose sincerity and patriotism no one doubts. He has opened up a wide field of deliberation; and it is to be hoped that the matter will receive, as it deserves, the full, candid and non-partisan consideration of the American people, the study of all the problems directly or indirectly connected with it, and the adaptation of the action of to-day to a broad and comprehensive policy that will insure the race integrity of the United States and the perpetuity of the Republic.

Above all things, we should avoid “drifting,” the adopting of temporary expedients to meet temporary emergencies. We should, through Committee investigation and Commission inquiry, get at all the facts, economic and governmental, and by open debate challenge the best thought of the country.

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